United Nations S/2013/29

Security Council

Distr.: General
18 January 2013

Original: English

Letter dated 17 January 2013 from the Permanent Representative of South Sudan to the United Nations addressed to the President of the Security Council

Please find attached herewith a note from the Acting Chief Negotiator of the Republic of South Sudan on the progress that our Government is making in the interest of peace with our neighbour, the Republic of the Sudan (see annex). The Republic of South Sudan appeals to the Security Council to ensure that the Republic of the Sudan also adheres to the timely implementation of signed agreements and frameworks.

Kindly accept this submission as a document of the Security Council.

(*Signed*) Francis Mading **Deng**
Permanent Representative

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Annex to the letter dated 17 January 2013 from the Permanent Representative of South Sudan to the United Nations addressed to the President of the Security Council

The Government of the Republic of South Sudan remains fully committed to achieving enduring peace with the Republic of Sudan and establishing two mutually viable states.

In compliance with Security Council resolution 2046 (2012) and the Agreement on Security Arrangements between the Republic of the Sudan and the Republic of South Sudan (27 September 2012), and in line with the implementation plan approved by the two Co-Chairs of the Joint Political and Security Mechanism (19 December 2012), the Government of South Sudan has completed the withdrawal of all its troops south of the centre line on the temporary administrative and security map presented to the parties by the African Union High-level Implementation Panel in November 2011 for the establishment of the Safe Demilitarized Border Zone. This withdrawal has been completed within the time frame (D-day (19 December 2012) plus 28 days) that was agreed by the parties. This is the first step in the separation of forces and the full operationalization of the Zone (10 km withdrawal from the centre line).

At the current meeting of the Joint Political and Security Mechanism, being convened by the African Union High-level Implementation Panel on 14 and 15 January 2013 in Addis Ababa, the Government of South Sudan has also fully accepted the full demilitarization of the "14-mile area", the land of the Malual Dinka, in accordance with the 1924 Munroe-Wheatley Agreement. This will be completed by D-day plus 47 days. By withdrawing its forces south of the centre line of the temporary administrative and security map of the African Union High-level Implementation Panel and agreeing to the full demilitarization of the Safe Demilitarized Border Zone and the 14-mile area, the Government of South Sudan is clearly demonstrating its full compliance with the signed security agreements and its full commitment to their implementation.

The South Sudan negotiation team is currently in Addis Ababa, under the auspices of the African Union High-level Implementation Panel, to finalize the implementation matrix for all the 27 September 2012 agreements, and the Republic of South Sudan is fully committed to the unconditional and timely implementation of all agreements it has signed with the Government of the Sudan. The Government of the Republic of South Sudan expects the Government of the Sudan to similarly implement fully and unconditionally the security agreements and all other agreements embodied in the cooperation agreement of 27 September 2012. These agreements lay the foundations for the mutual viability of both our nations and enduring peace between our peoples.

We thank you again for your continued attention to the important issue of maintaining peace and security between the Sudan and South Sudan.

(*Signed*) John Luk **Jok**
Acting Chief Negotiator
Republic of South Sudan

(*Signed*) John Kong **Nyuon**
Minister of Defence
Republic of South Sudan

United Nations A/67/701–S/2013/30

General Assembly
Security Council

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18 January 2013
English
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General Assembly
Sixty-seventh session
Agenda item 74
Report of the International Criminal Court

Security Council
Sixty-eighth year

Identical letters dated 17 January 2013 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from the Government of the Syrian Arab Republic, I should like to draw your attention to the following information:

A number of States have sent a joint letter to the Security Council to refer the situation in Syria to the International Criminal Court, citing concern at the humanitarian situation in the country and a desire to put an end to the human rights violations.

The Government of the Syrian Arab Republic shares their concern at the unfolding humanitarian situation in Syria and the human rights violations committed by armed terrorist groups. Those developments mark a considerable change from the stability, safety and freedom of religion and conviction which Syria and Syrians enjoyed before the crisis. However, the Syrian Government finds it regrettable that those States have persisted in their dangerously flawed approach by refusing to recognize the Syrian State's duty to protect its people from terrorism imposed from abroad. It is no secret that the armed terrorist groups are funded, trained and sheltered by certain States, some of which are signatories to the joint letter. This reality has been covered up by political and media campaigns aimed at protecting the armed groups and denigrating the Syrian State by blaming it for their crimes. We find it regrettable that Switzerland, the depository State of the fundamental conventions of international humanitarian law, and a State previously known for its impartiality and objectivity, is leading this unjust and deceptive campaign against a Member State of the United Nations and defending the practices of terrorist groups.

I also wish to recall the initiatives and national accountability mechanisms which we have described to you in several letters. Syria has established an independent, transparent and credible national commission of inquiry to investigate complaints of human rights violations committed by civilians and soldiers. The commission has branches in all governorates of Syria. It has referred most of its cases to specialized courts, but remains seized of a number of complaints. In

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addition, a number of individuals have been brought before the courts for involvement in actions inconsistent with their professional duties. Domestic remedies have therefore not been exhausted, something that is a primary and fundamental condition before the issue can be referred to international bodies.

The signatories' initiative shows yet again their hypocrisy and double standards with regard to the Syrian crisis and international human rights law generally. While expressing concern for the Syrian people and for international humanitarian law and international human rights law, they turn a blind eye to the armed groups' political, media, logistical and military backing. Some of the signatories directly support the groups with weapons and funding, enabling them to violate international law and international human rights law. Some of them are hindering Syrian national dialogue and the path towards a political solution to the crisis in accordance with the political programme set out by the President of the Republic on 6 January 2013. We sent you a copy of that programme a few days after it was announced.

If the signatories genuinely intended to alleviate the humanitarian suffering of the Syrian people or to end the human rights violations in Syria, they would not opt for escalation and incitement or fan the flames of the crisis. Instead, they would take the following steps:

1. Putting pressure on the States that fund, shelter and train terrorists and dispatch them to Syria in order to target Syrians. The terrorists are the ones seeking to destroy the country's unique social fabric and coexistence. They are working systematically to destroy the infrastructure and the national economy by stealing food, medicine and fuel. They deprive civilians of those basic commodities, which they sell on like profiteers.

2. Putting pressure on those who issue fatwas justifying the murder, abduction, torture and robbing of Syrians and convincing the perpetrators that those barbaric practices are a jihad, that they will earn a place in paradise and that they will not be accountable under international law.

3. Lifting the illegal and unethical unilateral sanctions imposed on Syria. The sanctions are a collective punishment of the Syrian people. They have contributed directly to the deteriorating humanitarian situation in the country by violating the rights of Syrians and depriving them of such basic commodities as fuel, food and medicine. Even United Nations relief efforts have been unable to tackle the repercussions. The sanctions are a clear violation of international human rights law and the relevant United Nations resolutions.

4. Taking genuine action to stop the flow of arms to terrorist groups. Some of the weapons are manufactured in countries that are signatories to the joint letter. Other signatory States smuggle armed men into Syria in order to murder and intimidate Syrians. The armed groups and *takfirists* would not be able to commit their massacres — which they boast about and film in order to reach the widest possible audience via the internet — without receiving weapons and media and political cover from a number of States.

The signatories' initiative will do nothing to alleviate the humanitarian suffering or to prevent the armed terrorist groups from violating international human rights law and international humanitarian law. Instead, those groups will see it as endorsing their tactics and authorizing additional murder and devastation. The

signatories ought to support international efforts towards a political solution based on national dialogue, which would bring back safety and stability and fulfil the aspirations of the Syrian people through peaceful means, instead of complicating the situation and hindering the search for an end to the crisis.

I should be grateful if this letter could be issued as an official document of the General Assembly, under agenda item 74, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

United Nations S/2013/31

Security Council

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18 January 2013

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Letter dated 16 January 2013 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General

I have the honour to inform you that my Government announced today its decision to provide logistical support to Member States of the Economic Community of West African States (ECOWAS), in the framework of resolution 2085 (2012). On short notice, Germany will be providing two C-160 aircraft for the transport of ECOWAS troops to Bamako.

I would be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Peter **Wittig**

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United Nations A/ES-10/578–S/2013/32

General Assembly
Security Council

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21 January 2013

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-eighth year

Identical letters dated 18 January 2013 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I have written on numerous occasions to draw international attention to the critical situation in the Occupied Palestinian Territory, including East Jerusalem, the territory that constitutes the State of Palestine. In each letter, the most recent of which was conveyed on 15 January 2013, we have underscored our serious concerns about the grave breaches of international humanitarian and human rights laws being committed by Israel, the occupying Power, including its campaign of settlement colonization, which are destabilizing the situation and destroying the potential for peace.

In each letter, we have called on the international community, especially the Security Council, to uphold their obligations to respect and ensure respect for international law and to determine the necessary measures to compel Israel to end its war crimes and to salvage the prospects for peace. Regrettably, the Security Council remains in deadlock despite the clear consensus of positions on both the illegality of Israel's policies and practices against the Palestinian people and the urgent need to advance the two-State solution as the most viable solution to resolve this decades-long conflict.

Here, it is imperative to highlight the fact of the international consensus that Israel's illegal settlement policies specifically constitute the main threat to the vision of two States, Palestine and Israel, living side by side in peace and security based on the pre-1967 borders, the main obstacle to a credible peace process, and a main source of instability, tension and mistrust. It is high time to act on this consensus to end the oppression, dispossession and denial of the rights of the Palestinian people and to usher in a long-awaited era of peace and stability.

Yet again, Israel has announced plans to construct another 198 illegal settlement units in the Occupied Palestinian Territory. These plans, which come on the heels of recent provocative declarations regarding intentions to construct thousands of settlement units, include 84 units in the ultra-extremist illegal

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settlement of "Kiryat Arba" in Al-Khalil and 114 units in the illegal settlement of "Efrat", in grave contravention of all legal norms, including international humanitarian law, Security Council resolutions and the road map obligation to freeze all settlement activities.

Today, hundreds of Palestinians engaged once again in peaceful, popular resistance against and defiance of the occupation's illegal colonization practices as they gathered in Beit Iksa, north-west of Occupied East Jerusalem, to protest the Israeli confiscation of the village's land. This demonstration follows the establishment on 11 January of the Bab Al-Shams village in the so-called "E1" area as a means of non-violent civil protest against Israel's plans to illegally establish a settlement there, which would sever the State of Palestine's contiguity and viability. Regrettably, following the forced removal of the peaceful demonstrators there, Israel continues to obstruct Palestinian access to the area. Nevertheless, in the same spirit of Bab Al-Shams, the activists in Beit Iksa set up a tent village, naming it Al-Karamah (Dignity), in protest of the land confiscation and the plans to encircle and isolate the village through Israel's annexation wall, a critical matter I raised in my letter of 10 January. In a statement made by one of the activists, it was stressed that the protest was intended, inter alia, to send "a message to Israel and all democratic societies that we are human and we want peace ... we are looking for a life without checkpoints, walls and settlements". Also today, a peaceful demonstration was held in the village of Izbat Al-Tabib in the Qalqilya area to protest the Israeli plans to demolish a school in the village.

In that connection, during this period Israel has persisted with its destruction of Palestinian properties. On 14 January, Israeli occupying forces demolished four Palestinian homes in the southern hills of Al-Khalil, including a home in the Um Al-Khair village belonging to Shuaib Hathaleen, a Palestine refugee, who has been unable to speak since suffering a stroke, resulting in the displacement of eight people, among them four children. The occupying forces also destroyed the home of a shepherd, Ziad Makhmari, in the area of Shakia, and the homes of Waleed Saljbor and Mohammad Ali Issa Atayet, rendering another 15 people homeless, in the midst of a severe winter.

The following day, on 15 January, Israeli occupying forces demolished the home of Nasser Rajabi, in an area north of Beit Hanina, where he had lived with his wife and six children. On the same day, a two-storey home in the town of Sur Baher, belonging to Aref Amera, age 71, and housing seven families, was destroyed by Israeli occupying forces. On 17 January, the occupying forces also continued their harassment of Bedouin families and destruction of their properties, demolishing around 70 Palestinian structures, including residential sheds and animal barns, belonging to 12 Palestinian families in Wadi Al-Maleh in the northern Jordan Valley.

At the same time, Israeli settlers continue their terror and rampage against Palestinian civilians and their properties in the Occupied Palestinian Territory. On 13 January, an Israeli settler ran over Ali Jahalin, age 7, on his way to school in Abu Dis in the area of Occupied East Jerusalem, and the child was taken to hospital in critical condition. This settler practice of running over Palestinian children has become quite common, and the fears it has raised have now caused many Palestinian families to refuse to let their children travel to and from school unaccompanied.

This deplorable incident was followed on 15 January by a group of settlers setting up an illegal settlement on land belonging to a Palestinian family from the

town of Tuqu, east of Bethlehem. The settlers, under the protection of Israeli soldiers, attacked the family, injuring many and forcing the Palestinian owners to leave their land. In similar provocative actions, on 16 January, Israeli setters began to raze land to expand the illegal "Maskiyot" settlement in the northern Jordan Valley and the "Elon Moreh" settlement north-east of Nablus.

On 17 January, Israeli settlers uprooted 95 olive trees in the Hussan village, west of Bethlehem, belonging to two Palestinian families. This was preceded on 11 January by the destruction of more than 200 olive trees in the village of Qusra, near Nablus. This village, like so many others in the Nablus area, has been subjected to frequent violent attacks by extremist settlers from nearby illegal settlements as well as so-called "outposts". The Israeli Government continues to allow the perpetrators of these crimes to go unpunished, bolstering their sense of impunity and fostering such lawlessness.

As the international community continues to witness these relentless Israeli violations of the human rights and dignity of the Palestinian people, we must recall that many of these violations also constitute war crimes for which Israel, the occupying Power, must be held accountable. Without accountability, the prospects for reining in such illegal behaviour will remain remote, with far-reaching consequences for the objectives of attaining peace and security.

The Palestinian leadership remains committed to the path of peace and the two-State solution, recalling the significance of the compromise of accepting only 22 per cent of historic Palestine, a compromise made in the context of the international vision for a just peace and stability in our region. We thus continue to call on the international community, particularly the Security Council, in accordance with its duties under the Charter of the United Nations, to uphold their commitment to this vision and to act urgently and tangibly to ensure respect for the rule of law, including United Nations resolutions, to halt the deterioration of the situation and to salvage the two-State solution and the prospects for peace.

This letter is in follow-up to our previous 450 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 15 January 2013 (A/ES-10/577-S/2012/23), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer
of the State of Palestine to the United Nations

United Nations S/2013/33

Security Council

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18 January 2013

Original: English

Letter dated 18 January 2013 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolutions 2082 (2012) and 2083 (2012), by which the Council decided to extend until 17 June 2015 the mandate of the Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004), and requested the Secretary-General to make the necessary arrangements to this effect.

Accordingly, I wish to inform you that, after consulting with the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities and the Security Council Committee established pursuant to resolution 1988 (2011), I have reappointed the following experts to serve on the Analytical Support and Sanctions Monitoring Team for the longest period allowable under the applicable rules and regulations of the United Nations:

- Abdulmajeed A. Ababtain (Saudi Arabia)
- Yotsna Lalji-Venketasawmy (Mauritius)
- Ang Sun (China)
- Brian C. Wilson (United States of America)

I have also appointed the following new experts:

- Alexander Evans (United Kingdom of Great Britain and Northern Ireland)
- Frédérique Gautier (France)
- Abdelaziz Haouaria (Morocco)
- Hans-Jakob Schindler (Germany)

I have designated Mr. Evans to serve as Coordinator of the Analytical Support and Sanctions Monitoring Team.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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